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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/609,008  
Filing Date: June 27, 2003  
Appellant(s): ERROR ET AL.

**MAILED**  
**OCT 04 2007**  
**Technology Center 2100**

\_\_\_\_\_  
Amir H. Raubvogel  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 5/1/07, and the supplemental appeal brief filed 6/28/07, appealing from the Office action mailed 12/7/06.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

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### (8) Evidence Relied Upon

2003/0128231

Kasriel et al.

7-2003

### (9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 12-21, 33-42, and 54-63** are rejected under 35 U.S.C. 102(e) as being anticipated by **Kasriel et al.** (US2003/0128231, hereinafter “Kasriel”).

In regards to **claim 12**, **Kasriel** teaches a computer-implemented method for capturing and presenting node sequence data, comprising:

- receiving input designating a target path comprising a sequence of nodes, the target path further comprising at least one wild card (**Kasriel; par [0033]** – *“The particular traversal to or from the target location may also be specified, to include, for example, transactions wherein the target location is the entry location of an access to the web-site, or transactions wherein the target location was visited at some time during the access to the web-site, or transactions wherein the target location was the exit location*

*of an access to the web-site”, par [0035] - “all accesses to the web-site from ‘yahoo.com’ wherein the visitor entered the web-site via ‘page A’, and visited ‘page B or C’”);*

- retrieving, from a stored log, a plurality of records comprising node sequence data (Kasriel; par [0019] – “detect and record traversals to and from select web-sites” and “another process is used to retrieve the information”, par [0023], par [0027], lines 5-13; par [0039]);
- filtering the retrieved records to identify records corresponding to node sequences that match the target path (Kasriel; pars [0038]-[0039]); and
- outputting a report based on the identified records (Kasriel; par [0021], par [0037], lines 5-11, par [0039] – “present path-analysis and performance-analysis reports to the user”).

In regards to **claim 13**, Kasriel teaches the method of claim 12, wherein the node sequence data comprises website visitation path data, and wherein each node corresponds to at least one web page (Kasriel; par [0019], par [0021]).

In regards to **claim 14**, Kasriel teaches the method of claim 13, further comprising, prior to retrieving the plurality of records:

- monitoring web page visits (Kasriel; par [0019], pars [0038]-[0039]); and
- storing, in the log, records representing the monitored web page visits (Kasriel; par [0019], par [0023], par [0027], lines 5-13).

In regards to **claim 15**, **Kasriel** teaches the method of claim 12, wherein the target path comprises a node corresponding to an entry point (**Kasriel; par [0033], par [0035]**).

In regards to **claim 16**, **Kasriel** teaches the method of claim 12, wherein the target path comprises a node corresponding to an exit point (**Kasriel; par [0033]**).

In regards to **claim 17**, **Kasriel** teaches the method of claim 12, wherein outputting the report comprises outputting a report indicating relative frequencies of occurrence of node sequences (**Kasriel; pars [0021] – [0022], par [0037], lines 5-11**).

In regards to **claim 18**, **Kasriel** teaches the method of claim 12, wherein outputting the report comprises outputting a report indicating relative frequencies of occurrence of node sequences that match the target path (**Kasriel; pars [0021] – [0022], par [0037], lines 5-11, par [0039]**).

In regards to **claim 19**, **Kasriel** teaches the method of claim 12, wherein outputting the report comprises outputting a graph including lines depicting node sequences, wherein a visual characteristic of the lines indicates relative frequency of occurrence of node sequences (**Kasriel; pars [0020] – [0022], par [0037], lines 5-11; please also see 2003/0131097, par [0030] – [0031], which has been incorporated by reference into Kasriel, for more detail**).

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In regards to **claim 20**, **Kasriel** teaches the method of claim 19, wherein the visual characteristic is thickness (**Kasriel**; par [0037], lines 5-11; please also see 2003/0131097, pars [0030] – [0031], which has been incorporated by reference into **Kasriel**, for more detail).

In regards to **claim 21**, **Kasriel** teaches the method of claim 19, wherein the visual characteristic is color (**Kasriel**; pars [0020] – [0022], par [0037], lines 5-11; please also see 2003/0131097, par [0030] – [0031], which has been incorporated by reference into **Kasriel**, for more detail).

**Claims 33-42** are rejected with the same rationale given for claims 12-21, respectively.

**Claims 54-63** are rejected with the same rationale given for claims 12-21, respectively.

#### **(10) Response to Argument**

**Claims 12-21, 33-42, and 54-63 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kasriel.**

Applicant argues at that **Kasriel** does not teach the concept of a wild card or any equivalent concept.

The examiner respectfully disagrees. The examiner first notes that the applicant's specification at par [0048] states, "wild cards match any page." The examiner asserts that **Kasriel** at par [0035] provides an example wherein a user may request "all accesses to the web-site from 'yahoo.com' wherein the visitor entered the web-site via 'page A', and visited 'page B or C'." This clearly teaches the concept of a wildcard as described by the applicant.

Applicant argues that Kasriel provides no mechanism by which a target *path* can be specified including a sequence of required pages and allowing for additional pages to be visited at specific points on the path but not at other points on the path.

The examiner respectfully disagrees with applicant's argument. First, the examiner notes that applicant at page 4 of the appeal brief filed 5/1/07 states that in Kasriel, "A particular *traversal* to or from the target location can also be specified." Therefore, the applicant himself seemingly admits that Kasriel does indeed provide a mechanism by which a target *path* can be specified including a sequence of required pages, i.e. by specifying a particular *traversal* to or from the target location. Applicant also cites the examples from par [0035] of Kasriel that clearly specify a sequence of required pages (e.g. "all accesses to the web-site from 'yahoo.com' wherein the visitor entered the web-site via 'page A', and visited 'page B or C'." – required to visit A first and then at some point visit either B or C, which is a sequence of required nodes). Furthermore, Kasriel does indeed teach that additional pages may be visited at specific points on the path but not at other points. To explain, with respect to the above example, additional pages may be visited at any point between visiting page A and visiting page B or C or at any point after visiting page B or C, but may not be visited as the entry page, because page A has been specified as the entry page. However, having said that, the examiner notes that the rejected claims do not recite this feature of allowing for additional pages to be visited at specific points on the path *but not at other points on the path*. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).



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Applicant has provided examples in an effort to distinguish the claimed invention over the prior art, however the examiner respectfully asserts that the alleged differences between the provided examples and the teachings of Kasriel are not reflected in the rejected claims. Therefore, the examiner again notes that while the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

To conclude, Kasriel clearly teaches specifying a target path comprising a sequence of nodes and at least one wild card (Kasriel; par [0033] – “*The particular traversal to or from the target location may also be specified, to include, for example, transactions wherein the target location is the entry location of an access to the web-site, or transactions wherein the target location was visited at some time during the access to the web-site, or transactions wherein the target location was the exit location of an access to the web-site.*”; par [0035] - “*all accesses to the web-site from `yahoo.com` wherein the visitor entered the web-site via `page A`, and visited `page B or C`*”). While the notation may be different, the functionality and concept are the same. Most importantly, the reference meets the limitations recited by the rejected claims.

#### (11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

KP



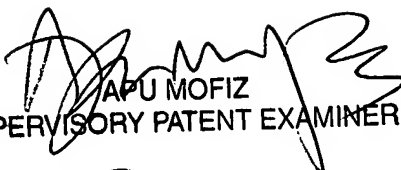
September 24, 2007


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